

Article - Education

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§7–801. IN EFFECT

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Nonpublic school” means an elementary or secondary school in the State that is not part of the public elementary and secondary education system of this State.

(ii) “Nonpublic school” includes an elementary or secondary school in Calvert County that does not receive State aid.

(3) “Public school bus” includes any other conveyance used to transport students to a public school.

(b) (1) At its own expense, a county governing body may provide transportation for public school students in addition to the transportation provided by the State.

(2) In Montgomery County, a fee may not be charged for transporting public school students to school from their designated bus stop locations or from school to their designated bus stop locations.

(c) (1) A county board may provide transportation to and from school using a vehicle other than a Type I or Type II school vehicle, as defined in § 11–154 of the Transportation Article, when a school vehicle cannot reasonably be provided for the following public school students:

- (i) Preschool–age students;
- (ii) Students with disabilities;
- (iii) Homeless youth;
- (iv) Children in foster care;
- (v) Students without access to school buses;
- (vi) Students in a nonpublic school placement; or

(vii) Students in dual enrollment programs, work programs, or other educational programs based off the school campus.

(2) A county board may provide transportation in accordance with this subsection to a particular student group that is not listed under paragraph (1) of this subsection through a written determination by the county board.

(3) The Department, in consultation with county boards and the Motor Vehicle Administration, shall adopt regulations establishing minimum vehicle and driver safety standards for transportation provided in accordance with this subsection.

(d) (1) Subject to the requirements of paragraph (2) of this subsection, in Calvert County the county board may provide transportation to and from school on a public school bus for a student who attends a nonpublic school.

(2) Transportation offered by the Calvert County Board under this section shall be offered to a student attending a nonpublic school:

(i) If there is sufficient capacity on the school bus;

(ii) If the student resides on, along, or near a public highway in the county on which a public school bus or conveyance operates;

(iii) If the student resides in the public school transportation district served by the public school bus;

(iv) Only on the routes, school days, and hours of transportation that coincide with the routes, school days, and hours of transportation for students attending public schools in the county; and

(v) In the case of a student who attends a nonpublic school that is not on the public school bus route, only to the public school on the route which is nearest to the nonpublic school.

(3) The Calvert County Board is not responsible for the safety of any nonpublic school student who is transported on a public school bus under this subsection after the student is discharged from the public school bus, and the board may not be held liable in any civil action arising from an act or omission that occurs after the student is discharged from the public school bus.

§7-801. // EFFECTIVE JUNE 30, 2026 PER CHAPTERS 197 AND 198 OF 2021
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